



ATTORNEY DOCKET NO.: 040808-5058

Application No. 09/002,349

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REMARKS

Summary of the Office Action

In the Office Action, the drawings are objected to because of the informalities noted in Form PTO-948. The title of the invention stands objected to because it is not descriptive. In the Office Action, claims 1-3, 5-8, 10-13, and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,999,213 to Tsushima et al. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsushima et al. in view of U.S. Patent No. 5,633,678 to Parulski et al. Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsushima et al. Claim 14-21 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsushima et al. in view of U.S. Patent No. 4,316,656 to Ishibashi et al.

Summary of the Response to the Office Action

By this Amendment, Applicant has amended the title of the invention, and amended claims 14 and 23 to further define the subject matter of the invention. Accordingly, claims 1-23 are presently pending in this application.

Attached hereto is a marked-up version of the changes made to the title and claims by the current amendment. The attached page is captioned, "Version with Markings to Show Changes Made."

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The Objections to the Drawings

In response to the objection to the drawings, Applicant respectfully submits that since examination has been already commenced in the instant application, the provision of 37 C.F.R. § 1.85(a) does not apply. Pursuant to 37 C.F.R. § 1.85(c) and the “Information On How To Effect Drawing Changes” on the back of Form PTO 948 (Attachment to Paper No. 4), Applicant respectfully requests that submission of the formal drawings be deferred until a Notice of Allowance has issued.

The Title of the Invention

The title of the invention is objected to for not being descriptive. By this Amendment, Applicant amended the Title to be clearly indicative of the invention to which the claims are directed. If the objection to the Title as amended is maintained, Applicant respectfully requests that the Examiner suggest a preferable Title.

Claim Rejections

Applicant respectfully traverses the rejections of claims 1-23 under 35 U.S.C. §§ 102(e) and 103(a) as follows.

Rejection under 35 U.S.C. § 102(e)

Independent claims 1 and 22 each recite a combination of elements including the features that “if the operation explanation mode is selected at the mode selector, the playback unit plays back an operation guide that is pre-stored in a memory, the operation guide explaining at least

one of the external operations and corresponding camera functions thereof,” or like features.

None of the cited references, including Tsushima et al., singly or combined, teaches or suggests at least the combination of elements having such features of the present invention.

Contrary to the Office Action’s assertion at paragraph 5 regarding the “help menu,” the “help menu” in FIG. 9F of Tsushima et al. cannot possibly correspond to the above-recited features of the present invention for the following reasons. Tsushima et al. primarily concerns with a camera setup system for setting up cameras. As shown in FIG. 3 of Tsushima et al., the cameras 1000 to be set up are connected to the camera setup system via cables CA5 and CA6, etc. Thus, the cameras 1000 of Tsushima et al. exist separately from the camera setup system, and the camera set up system sets various parameters of a plurality of cameras like a central setup station connected to the cameras. The “help menu” of Tsushima et al. “serves to display various items of assistive information with respect to the *camera setup system* [emphasis added]” (Tsushima et al. at column 20, lines 58-61.), but not the “external operations and corresponding *camera* functions thereof (emphasis added)” or like features recited in claims 1 and 22 of the instant application. For example, nothing in Tsushima et al. indicates that the “help menu” in FIG. 9F would explain how to operate control key group 750 of the cameras 1000 in FIG. 3 or describe its corresponding functions.

Moreover, the electronic cameras claimed in claims 1 and 22 each include a “playback unit” (or means) having the features that it “at least play[s] back image information that is recorded on the recording medium” *and* that “if the operation explanation mode is selected at the mode selector, the playback unit plays back an operation guide that is pre-stored in a memory,

the operation guide explaining at least one of the external operations and corresponding camera functions thereof,” or like features. Thus, the playback unit (or means) of the camera has at least two functions of playing back the image captured by the camera and playing back the operation guide. Tsushima et al. does not disclose such a “playback unit” (or means). In fact, Applicant respectfully notes that the Office Action is silent as to this element. See the Office Action dated March 14, 2001, page 3, first paragraph and page 5, first paragraph.

Therefore, Tsushima et al. does not teach or suggest at least the combination of elements having the above-recited features of the present invention.

As instructed by MPEP §2131, “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Accordingly, independent claims 1 and 22 are allowable.

Applicant respectfully submits that dependent claims 2-13 are allowable at least because of their dependency upon allowable claim 1. Moreover, Applicant respectfully submits that these dependent claims are allowable for the reasons of reciting additional features in the respective claims. For example, the features recited in dependent claims 2-4 clearly are not disclosed in any of the cited references.

Accordingly, Applicant respectfully requests withdrawal of the rejection of the claims under 35 U.S.C. § 102(e).

Rejection of claims under 35 U.S.C. § 103(a)

Independent claims 14, 18, 21, and 23, as originally submitted and as amended, each recite a combination of elements including “a function tester for testing functions of the camera

if the function diagnosis mode is selected by the mode selector, the functions of the camera to be tested including functions of at least one of the image pickup unit, the recorder, and the playback unit” or like features. None of the cited references, including Tsushima et al. and Ishibashi et al., singly or combined, teaches or suggests at least the combination of elements having such features of the present invention.

Contrary to the Office Action’s assertion at paragraph 9 regarding the “function tester,” Ishibashi et al. does not teach or suggest at least the combination of elements having such features of the present invention. While Ishibashi et al. reads, “[t]he view finder display . . . provides useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing,” column 1, lines 31- 35, nothing in Ishibashi et al. teaches or suggests actual testing of functions of “at least one of the image pickup unit, the recorder, and the playback unit” of the camera or like features, as recited in claims 14, 18, 21, and 23 of the instant application. For example, Ishibashi et al. lists, at column 1, lines 41-53, “low battery condition,” “low remaining film,” and “poor exposure conditions,” etc, in connection with various function test buttons. Furthermore, indicators 2 to 5 of Ishibashi et al. are “battery voltage indicator,” “film supply indicator,” “exposure or iris setting indicator,” and “sound level indicator,” respectively, as explained in column 2, lines 50-52. One of ordinary skill in the art would readily understand that these features in no way correspond to testing of functions of the image pickup unit, the recorder, or the playback unit or like features recited in claims 14, 18, 21, and 23.

Also, the above-recited features are not disclosed in Tsushima et al., as noted in the

Office Action at paragraph 9. Therefore, neither Ishibashi et al. nor Tsushima et al., singly or in combination, teaches or suggests the combination of elements having at least the above-recited features of the present invention.

At least because not all the claim limitations are taught or suggested in Ishibashi et al. and Tsushima et al., Applicant respectfully submits that no proper *prima facie* case of obviousness has been established. As instructed by MPEP §2143.03, “to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” Accordingly, Applicant respectfully submits that independent claims 14, 18, 21, and 23 are allowable.

Moreover, independent claim 21 additionally recites the features that “if the operation explanation mode is selected at the mode selector, the playback unit plays back an operation guide that is pre-stored in a memory, the operation guide explaining at least one of the camera operations and functions thereof,” similar to the features discussed above in connection with claims 1 and 22. Accordingly, claim 21 is allowable for the additional reasons set forth above.

Dependent claims 15-17, 19-20 are allowable at least because of their respective dependencies from allowable claims 14 and 18. Moreover, Applicant respectfully submits that these dependent claims are allowable for the reasons of reciting additional features in the respective claims. For example, the features recited in dependent claims 15-16 and 20 clearly are not disclosed in any of the cited references.

Accordingly, Applicant respectfully requests withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).



CONCLUSIONS

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application, and the timely allowance of all the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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